

Probate cases on this calendar are currently under review by the probate examiners. Review of some probate cases may not be completed and therefore have not been posted.

If your probate case has not been posted please check back again later.

Thank you for your patience.

Atty

Armas, J. Todd (for Petitioner/Conservator Doris Beckett

Fifth Amended Account and Report of Conservator and Petition for its Settlement

Age: 81 years	DORIS BECKETT, spouse/Conservator, is		NEEDS/PROBLEMS/COMMENTS:	
DOB: 1/12/1931	petitioner.		Continued from 3/13/12. As of	
	Account period: 11/13/07 - 9/30/11		6/12/12 there has been no additional documents filed.	
Cont. from 031312	Accounting	\$129,262.22	Examiner is unable to review these	
Aff.Sub.Wit.	Beginning POH Ending POH		pleadings. The pleadings have incomplete sentences and	
Verified X	Ĭ	, ,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,	paragraphs and do not make sense.	
Inventory	Current bond \$24,500.00			
PTC			Accounting is not verified or signed by the Conservator. Probate Code	
Not.Cred.	Conservator -	not addressed	§1020. Note: the accounting is	
Notice of	Attorney -	not addressed	signed by the attorney. It has not	
Hrg	<u>'</u>		been verified. An attorney cannot	
Aff.Mail			verify for a fiduciary. The accounting	
Aff.Pub.			must be verified by the Conservator.	
Sp.Ntc.			Notice of the Hearing has not been	
Pers.Serv.			given.	
Conf.				
Screen	<u> </u>			
Letters	<u> </u>			
Duties/Supp	<u> </u>			
Objections	<u> </u>			
Video				
Receipt	4			
CI Report 9202	1			
Order	-			
Aff. Posting	1		Reviewed by: KT	
Status Rpt	=		Reviewed by: Ki	
UCCJEA	1		Updates:	
Citation]		Recommendation:	
FTB Notice			File 1 – Beckett	

Atty Barrus, John E. (for Yolanda Casey – Administrator)

(1) First and Final Account of Administrator and Petition for Its Settlement and (3) for Final Distribution [Prob. C. 11600]

DOD: 03/06/10		YOLANDA CASEY, Administrator, is Petitioner.	NEEDS/PROBLEMS/COMMENTS:
l 		Permoner.	
		Account period: 03/06/10 - 03/31/12	
Со	nt. from		
	Aff.Sub.Wit.	Accounting - \$210,000.00	
√	Verified	Beginning POH - \$210,000.00 Ending POH - \$0.00	
√	Inventory	= Linding 1 On - \$0.00	
✓	PTC	Administrator - \$0.00	
✓	Not.Cred.		
✓	Notice of	Attorney - \$0.00	
	Hrg	=	
<u> </u>	Aff.Mail w		
	Aff.Pub.	of the Estate to distribute. Any not now known or discovered property to be	
	Sp.Ntc.	distributed, pursuant to intestate	
	Pers.Serv.	succession, as follows:	
	Conf.	soccosion, as ionows.	
./	Screen	Yolanda Casey - 1/3 interest	
Ě	Letters 07/08/1	Evan Casey - 1/3 interest*	
 	Duties/Supp Objections	Andrew Casey - 1/3 interest*	
 	Video	=	
	Receipt	*Evan Casey and Andrew Casey are	
	CI Report	minors. If any property is discovered to be distributed to them before their 18 th	
✓	9202	birthday, their shares are to be distributed	
✓	Order	to Yolanda Casey, who is the currently	
	Aff. Posting	court-appointed Guardian of the Estates	Reviewed by: JF
	Status Rpt	of both minor children, to be held in the	Reviewed on: 06/12/12
	UCCJEA	guardianship estate until the minor attains	Updates:
	Citation	the age of majority.	Recommendation: SUBMITTED
√	FTB Notice		File 2 - Casey

Atty Matlak, Steven (for Micklos Lemons)

Petition for Order Establishing Special Needs Trust; and for Authorization for Initial Trust Expenditures (Prob. C. 3600-3613)

Age: 35 years			MICKLOS LEMONS, a conserved adult, by his	NEEDS/PROBLEMS/COMMENTS:	
DOB: 4/1/1977			attorneys, Dowling, Aaron and Keeler, seeks		
			and order under Probate Code §3600 – 3613		
			to establish a Special Needs Trust (SNT) with		
			Mr. Lemons as the proposed beneficiary.	Note: If the Petition is granted	
	nt. from 07111	1		status hearings will be set as follows:	
	2411, 050812	1,	Mr. Lemons has been diagnosed with	TOllOWS.	
002			mental retardation, and the State of	 Friday, July 20, 2013 at 9:00 	
	Aff.Sub.Wit.		California has determined that the level of his disability is severe.	a.m. in Department 303 for	
_	Inventory		This disability is so voice.	the filing of the bond, and;	
	PTC		The SNT will be funded from proceeds of a	• Friday, August 16, 2013 at 9:00	
	Not.Cred.		litigation settlement. All of the parties in the	a.m. in Department 303, for	
	Notice of		Litigation Action have reached a settlement with Mr. Lemons in his favor in the amount of	the filing of the first account.	
•	Hrg		\$46,548.00. Before any SNT is funded with	Pursuant to Local Rule 7.5 if the	
1	Aff.Mail	W/	these funds, by prior order of the Court	second account is filed 10 days	
	Aff.Pub.		dated 10/27/10, the Law Offices of Joanne	prior the date set the status hearing will come off calendar	
	Sp.Ntc.		Sanoian are to be paid \$3,400.00 from the	and no appearance will be required.	
	Pers.Serv.		settlement proceeds for services to the Conservators and \$355.00 for costs		
	Conf. Screen Letters		advanced. After payment to the Law		
			Offices of Joanne Sanoian, Mr. Lemons will		
			receive \$42,793.00.		
	Duties/Supp				
	Objections		Petitioner states the settlement proceeds if provided directly to Mr. Lemons would		
	Video Receipt		eliminate his continuing eligibility for SSI and		
			Medi-Cal because they exceed \$2,000.00		
	CI Report				
	9202		Petitioner seeks an order of this Court that		
✓	Order		the assets from the settlement be paid to		
	Aff. Posting		the Trustee of the MICKLOS LEMONS SPECIAL NEEDS TRUST.	Reviewed by: KT	
	Status Rpt		NLLD3 INU31.	Reviewed on: 5/1/12	
	UCCJEA Citation FTB Notice		The proposed Special Needs Trust complies	Updates:	
			with all Federal, State and Local	Recommendation:	
			Requirements.	File 3 - Lemons	
			Continued on additional page		
<u> </u>		I	comment on dadmonal page	2	

3 (additional page 1 of 2) Micklos Lemons (Trust)

Case No. 11CEPR00461

The proposed Special Needs Trust complies with California Rules 7.903(c) as follows:

- The Trust does not contain a "no-contest" provision;
- It prohibits modifications or revocations without court approval;
- It clearly identifies the trustee and any other person with authority to direct the trustee to make payments;
- It prohibits investments by the trustee other than those permitted under Probate Code §2574;
- It requires the Trustee to post bond in the amount required under Probate Code §2320-2335;
- It requires the Trustee to file accounts and report for court approval in the manner and frequency required by Probate Code § 1060-1064 and § 2620-2628;
- It requires Court approval of changes in trustees and court order appointing any successor trustee;
- It requires that compensation of the trustee, the members of any advisory committee, or the
 attorney for the trustee to be in just and reasonable amounts that must be fixed and allowed
 by the court

The proposed Special Needs Trust complies with Fresno County Local Rules as follows:

- A copy of the proposed trust instrument is attached to the petition to establish the Trust;
- The Trust complies with California Rules of Court 7.903;
- The Trust requires court confirmation for any purchase or sale of trust real property;

Petitioner proposes that **FREDA B. BALES** be named as the initial Trustee with **bond fixed at \$48,484.46**. Freda Bales consents to this appointment.

Petitioner requests an order of the Court that the Trustee is authorized to use asset of the SNT for the following purchases:

- 1. To purchase a bedroom set for Micklos Lemons n an amount not to exceed \$2,000.00;
- 2. To utilize trustee monies to meet Mr. Lemons' vision, dental and audiology needs which are not covered by Medi-Cal, including the payment of needed procedures as they arise, and/or for the purchase of insurance on an ongoing basis without the need for court approval for each instance:
- 3. The purchase of some items to enhance Mr. Lemons' life in a combined amount not to exceed \$2,000.00, including, a new bicycle, a new stereo and a vacation to Disneyland. It also requests the court approve the use of SNT funds to pay for room and board and the price of a ticket for Mr. Lemons' caregivers, Freda Bales and Sharon Bushman, as they would otherwise lack the financial means to take him on the trip;
- 4. The purchase of a burial headstone for Mr. Lemons and his deceased father in an amount not to exceed \$675.00;
- 5. The purchase of a pre-needs burial plan in an amount not to exceed \$6000.00.

3 (additional page 2 of 2) Micklos Lemons (Trust)

Case No. 11CEPR00461

Petitioner prays for an Order:

- 1. That the Court establish the MICKLOS LEMONS SPECIAL NEEDS TRUST.
- 2. That Petitioner be directed to execute it on behalf of Micklos Lemons and that the Court has continuing jurisdiction over the Micklos Lemons Special Needs Trust;
- 3. That FREDA BALES shall serve as the initial trustee with bond fixed at \$48,484.46;
- 4. That Mr. Lemons has a disability that substantially impairs his ability to provide for his own care or custody, and constitutes a substantial handicap;
- 5. That Mr. Lemons is likely to have special needs that will not be met without the Trust;
- 6. That money to be paid to the Trust does not exceed the amount that appears reasonably necessary to meet Mr. Lemons' special needs;
- 7. That the payment of all monies due to Mr. Lemons from the Litigation Settlement be paid to the Trustee of the Special Needs Trust after payment of the personal injury Medi-Cal lien, if any;
- 8. That any proceeds of the settlement award received by Mr. Lemons' attorney before the hearing of this petition and deposited in attorney's attorney/client trust account shall not be considered received by Mr. Lemons for public benefits eligibility purposes;
- 9. That the assets of the estate are unavailable for the beneficiary and shall not constitute a resource to Mr. Lemons for Mr. Lemons' financial eligibility for Medi-Cal, SSI; regional center assistance, or any other program of public benefits;
- 10. That the Trustee provide the Court with a biennial account and report of the SNT beginning with the period 1 year after the court approves the establishment of the trust and every 2 years thereafter:
- 11. That the Trustee is authorized to use the assets of the SNT to purchase a bedroom set for Mr. Lemons in an amount not to exceed \$2,000.00;
- 12. That the Trustee is authorized to use trust assets to meet Mr. Lemons' vision, dental and audiology needs which are not covered by Medi-Cal, including the payment of needed procedures as they arise, and/or for the purchase of insurance on an on-going basis;
- 13. That the Trustee is authorized to use assets of the SNT to purchase some items to enhance Mr. Lemons' life in a combined amount not to exceed \$2,000.00, including a new bicycle, a new stereo, and a vacation to Disneyland, including payment of room, board and tickets for Mr. Lemons' caregivers for such vacation to Disneyland;
- 14. That the Trustee is authorized to purchase a burial headstone to be shared by Mr. Lemons and his deceased father in an amount not to exceed \$675.00 and a prepaid burial contract for Mr. Lemons for funeral expenses in an amount not to exceed \$6,000.00.

Atty Shepard, Jefferson S. (for Allen Wells – Administrator)

(1) First and Final Report of Administration, (2) Petition for Allowance of Statutory Fees to Attorney and for (3) Final Distribution on Waivers of Accounting (PC 11002, 11600, 11601, 11640. 10810, 10954)

DOD: 10/06/11			ALLEN WELLS, Administrator, is Petitioner.		or, is Petitioner.	NEEDS/PROBLEMS/COMMENTS:
			Accounting is waived.			Need consent to distribution of real property in undivided interests
Со	nt. from		1 & A	-	\$74,265.04	from all beneficiaries pursuant to Local Rule 7.12.4 A.
	Aff.Sub.Wit.		POH	- (\$8.7	\$73,723.49 23.49 is cash)	
✓	Verified			(φο,	20.17 13 0 03117	
✓	Inventory		Administrator	-	waives	
✓	PTC					
✓	Not.Cred.		Attorney	-	\$2,970.60	
\	Notice of		(statutory)			
✓	Hrg Aff.Mail	w/	Closing	_	\$1,000.00	
Ě	Aff.Pub.	VV /	C1031119		\$1,000.00	
	Sp.Ntc.		Distribution, pursu	uant to in	testate	
	Pers.Serv.		succession, is to:			
	Conf.				4050 50 1	
	Screen		Allen Wells			
	Letters 11/29	7/11	an undivided 1/5	interest	in real property	
	Duties/Supp		Mina Wright	_	\$950.58 plus	
	Objections		an undivided 1/5			
	Video					
	Receipt		Melton Wells			
✓	CI Report 9202		an undivided 1/5	interest	in real property	
V ✓	9202 Order		Sylvia Hunt		\$950 58 plus	
	Aff. Posting		an undivided 1/5		•	Reviewed by: JF
	Status Rpt		3 3 3 3 3 17.0			Reviewed on: 06/12/12
	UCCJEA		Sharon Gabel	-	\$950.57 plus	Updates:
	Citation		an undivided 1/5	interest	in real property	Recommendation:
\checkmark	FTB Notice					File 4 - Wells

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16A Aleyna C. Gonzales and Amelia G. Gonzales (GUARD/P) Case No. 11CEPR00835

Gonzales, Andy R. and Rebecca (Pro Per – Paternal Uncle and Aunt – Guardians)

Gonzales, Tammy L. (Pro Per – Mother)
Guardians' Petition to Modify Visitation Atty

Atty

Aleyna Celine Gonzales	ANDY R. and REBECCA GONZALES, Guardians (Paternal	NEEDS/PROBLEMS/COMMENTS:	
Age: 14	Uncle and Aunt), are Petitioners.	, , , , , , , , , , , , , , , , , , , ,	
DOB: 7-31-97	"	14A – Guadians' Petition	
Amelia Grace Gonzales	Petitioners were appointed Guardians on 1-26-12	14B – Mother's Petition	
Age: 12 DOB: 11-22-99	Father: LARRY GONZALES	Continued from 5-1-12.	
	Mother: TAMMY GONZALES	See Page 2 for Minute Order and	
Cont. from 050112 Aff.Sub.Wit.	Paternal Grandfather: Ascencion Gonzales (<i>Deceased</i>) Paternal Grandmother: Lupe R. Ybarra	further visitation and investigation orders.	
Verified Inventory	Maternal Grandfather: Carol Carson Cruz (Deceased) Maternal Grandmother: Julio Cruz	Note: The Court ordered notice to be given to the appropriate parties for the next hearing. As of 6-12-12, nothing further has	
PTC	Sibling: Larry Gonzales, Jr. (17)		
Not.Cred.	Not.Cred. Current visitation per Minute Order 1-26-12:		
Notice of Hrg X Aff.Mail X	Larry Gonzales, Jr. (these minors' sibling who resides with the father) may visit Mondays and Thursdays	remain: 1. Need Notice of Hearing.	
Aff.Pub.	· · · · · · · · · · · · · · · · · · ·		
Sp.Ntc.	from 7-9pm.	2. Need proof of service of	
Pers.Serv.	Tammy Gonzales (Mother) may have supervised	Notice of Hearing at least 15 days prior to the hearing on:	
Conf. Screen	visitation every Saturday from 9am-noon unless the	- Tammy Gonzales (Mother)	
Letters	girls are engaged in a legitimate activity. Visitation to	- Larry Gonzales, Sr. (Father) - Larry Gonzales, Jr. (Brother, age 17) - Aleyna Gonzales (Minor, age 14) - Amelia Gonzales (Minor, age 12) - Lupe R. Ybarra (Paternal Grandmother)	
Duties/Supp	be supervised by Andy Gonzales at the guardians'		
Objections	residence or place mutually agreed by the parties. If		
Video Receipt	the girls are engaged in a legitimate activity, Andy		
CI Report	Gonzales is to notify the mother by Friday 5pm.		
9202 Order	 Visitation with the father to be determined among the parties 		
	Petitioners are asking the Court to cancel the visits with both Tammy Gonzales (Mother) and Larry Gonzales, Sr.	- Julio Cruz (Maternal Grandmother)	
Aff. Posting	(Father). Petitioners state Tammy lets Larry Sr. know	Reviewed by: skc	
Status Rpt	where and when her visits are, and he then shows up	Reviewed on: 6-12-12	
UCCJEA	and causes conflicts and altercations with Andy Gonzales	Updates:	
Citation	(Guardian). Petitioners state they have several event	Recommendation:	
FTB Notice	numbers. Also, Tammy's phone number has been	File 16A - Gonzales	
	disconnected. Petitioners have called several times to		
	talk to Larry Sr., for visits with his daughters, and every		
	time they try to talk with him or Tammy, they cuss or		
	hang up and won't talk reasonably.		
		16A	

16A Aleyna C. Gonzales and Amelia G. Gonzales (GUARD/P) Case No. 11CEPR00835

Atty Gonzales, Andy R. and Rebecca (Pro Per – Paternal Uncle and Aunt – Guardians)

Atty Gonzales, Tammy L. (Pro Per – Mother)

Guardians' Petition to Modify Visitation

Summary (Continued):

The girls wish to visit with their brother, but since 1-26-12, he has only come over once. The parents call people at the church and ask personal questions, and on 3-25-12, the girls came home from a visit and said they felt like their parents are stalking them. They are scared of their parents causing more altercations. Petitioners state the girls want to live in peace, and since they have been with them, they are doing very good emotionally, mentally and physically. Petitioners want them to have visits with their brother. Petitioners thank the Court for taking this situation seriously so that no more altercations occur.

<u>Note</u>: Guardians filed Declarations of Due Diligence for both the mother and the father stating that they refused service.

Mother filed a Petition for Visitation in response to this Petition. See Page 14B.

Minute Order 5-1-12: The Court continues the matter to 6/19/12. The Court orders that a court investigator contact the mother Tammy Gonzales, the guardians, Larry Jr., and the children for purposes of determining what their attitudes are regarding visitation and whether mother should have extended visits, supervised or unsupervised as well as overnights. In addition, the Court is seeking additional information regarding the appropriateness of the guardianship placement, and the continuing issues the parties are having with respect to visitation. The Court further orders that mother Tammy Gonzales call the guardians before 5:00 p.m. on Friday to confirm her visit with the children. The guardians are to make the children available for visitation unless the children are otherwise engaged in a legitimate activity. Mother is ordered not to bring anyone else with her during her visits. Notice to be given to the appropriate parties regarding the next hearing.

Court Investigator Jennifer Young to file report.

16B Aleyna C. Gonzales and Amelia G. Gonzales (GUARD/P) Case No. 11CEPR00835

Atty Gonzales, Andy R. and Rebecca (Pro Per – Paternal Uncle and Aunt – Guardians)

Atty Gonzales, Tammy L. (Pro Per – Mother)

Mother's Petition for Visitation

Alevna Celine Gonzales TAMMY GONZALES. Mother, is Petitioner. NEEDS/PROBLEMS/COMMENTS: Age: 14 ANDY R. and REBECCA GONZALES, Paternal Uncle and Aunt, DOB: 7-31-97 Continued from 5-1-12. were appointed Guardians of Aleyna and Amelia on 1-26-12. **Amelia Grace Gonzales** - Personally served 4-24-12 See Page 2 for Minute Order and Age: 12 further visitation and DOB: 11-22-99 Father: LARRY GONZALES, Sr. investigation orders. Mother: TAMMY GONZALES **Note:** The Court ordered notice Paternal Grandfather: Ascencion Gonzales (Deceased) Cont. from 050112 to be given to the appropriate Paternal Grandmother: Lupe R. Ybarra parties for the next hearing. As Aff.Sub.Wit. of 6-12-12, nothing further has Maternal Grandfather: Carol Carson Cruz (Deceased) Verified been filed. The following issues Maternal Grandmother: Julio Cruz remain: Inventory Sibling: Larry Gonzales, Jr. (17) PTC Need proof of service of Not.Cred. **Current visitation per Minute Order 1-26-12:** Notice of Hearing at least 15 Notice of Hrg Χ days prior to the hearing on: Larry Gonzales, Jr. (these minors' sibling who resides with Aff.Mail Χ - Larry Gonzales, Sr. (Father) the father) may visit Mondays and Thursdays from 7-9pm. - Larry Gonzales, Jr. Aff.Pub. Tammy Gonzales (Mother) may have supervised visitation (Brother, age 17) Sp.Ntc. - Aleyna Gonzales (Minor, every Saturday from 9am-noon unless the girls are Pers.Serv. age 14) engaged in a legitimate activity. Visitation to be - Amelia Gonzales (Minor, Conf. Screen supervised by Andy Gonzales at the guardians' residence age 12) Letters or place mutually agreed by the parties. If the girls are - Lupe R. Ybarra (Paternal engaged in a legitimate activity, Andy Gonzales is to notify **Duties/Supp Grandmother)** Objections the mother by Friday 5pm. - Julio Cruz (Maternal **Grandmother) Video Receipt** Visitation with the father to be determined among the **CI Report** parties Note: Guardians Andy and 9202 Rebecca (Becky) Gonzales were Mother is requesting more visitation because this is a very Order served on 4-24-12, which is 8 sensitive and important time in their teenage lives. They need days prior to the hearing rather the comfort and closeness more from their biological mother. than the required 15; however, They would all be happy with more time together. Her Guardians also have a petition daughters have told her that they want more time with her being heard today (Page 14A). they would love to go to the mall for the day, have lunch, do Reviewed by: skc Aff. Posting what mothers and daughters do - what they used to do. Reviewed on: 6-12-12 **Status Rpt** Mother states she and the father raised them with a strong UCCJEA **Updates:** church background and the girls are faithful to their church. Citation Recommendation: She is concerned about their emotional stability and the **FTB Notice** distance and separation between them has caused strain on File 16B - Gonzales the whole family. Mother noticed that they have fear of the Guardians, so she doesn't think mediation is appropriate. Her visits have been wonderful, but there have been some serious issues. Mother states Andy (Guardian) is not following the court order. **SEE PAGE 2**

16B Gonzales Minors (GUARD/P)

Case No. 11CEPR00835

Atty Gonzales, Andy R. and Rebecca (Pro Per – Paternal Uncle and Aunt – Guardians)

Atty Gonzales, Tammy L. (Pro Per – Mother)

Mother's Petition for Visitation

Summary (Continued):

Mother states Andy (Guardian) is not following the court order. On 2-25-12 the girls had a wedding, but it didn't start until 1pm. Both the girls and the mother wanted at least 2 hours, but Andy cancelled it completely.

On 3-12-12 another visit was cancelled because Andy said Mother didn't call by 5. The order states <u>he</u> is to call by five, not her.

On 3-24-12 was the worst – another visit cancelled. Mother went, but Andy cancelled it after 20 minutes because Larry Sr., walked by and gave the girls a hug and kiss. So Andy told the girls "let's go." Larry Sr., asked what his problem was, then Andy got him in a headlock, kicked him, and caused Mother and the girls to cry. This was an emotional and hostile environment for the girls.

On 3-31-12 her visit was cancelled due to a non-legitimate reason –Andy said the girls' cousins were visiting.

Today (4-3-12) Mother hasn't seen or talked to the girls in 3 weeks. They can't have a private conversation on the phone.

The judge clearly told the guardians to be reasonable, and it has not been that way. With all this going on, the guardians do not have the best interest of the girls at heart. Andy's personal dislike for her should not be taken out on the girls. Mother asks the Court to please review the facts and grant her more time with the girls. Mother feels there is no need for supervision. If it is gradual, that is fine, but her goal is to obtain custody again. Please consider their best interests.

Minute Order 5-1-12: The Court continues the matter to 6/19/12. The Court orders that a court investigator contact the mother Tammy Gonzales, the guardians, Larry Jr., and the children for purposes of determining what their attitudes are regarding visitation and whether mother should have extended visits, supervised or unsupervised as well as overnights. In addition, the Court is seeking additional information regarding the appropriateness of the guardianship placement, and the continuing issues the parties are having with respect to visitation. The Court further orders that mother Tammy Gonzales call the guardians before 5:00 p.m. on Friday to confirm her visit with the children. The guardians are to make the children available for visitation unless the children are otherwise engaged in a legitimate activity. Mother is ordered not to bring anyone else with her during her visits. Notice to be given to the appropriate parties regarding the next hearing.

Court Investigator Jennifer Young to file report.